

HOUSE BILL 3379

By Odom

AN ACT to amend Tennessee Code Annotated, Section 8-20-102, relative to the appointment of deputies and assistants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-20-102, is amended by deleting the section in its entirety and by substituting instead the following:

8-20-102.

(a) Each of the above named officers shall name in the petition the county mayor as the party defendant thereto. A copy of the petition shall be served on the county mayor, who shall file an answer to the petition within five (5) days from the date of service of the petition, either admitting the allegations of the petition or denying same, or making such answer as the county mayor deems advisable under the circumstances.

(b) The court shall promptly, in term or at chambers, have a hearing on the application, on the petition and answer thereto, as will develop the facts, and the court may hear proof either for or against the petition. The court may allow or disallow the application, either in whole or in part, and may allow the whole number of deputies or assistants applied for or a less number, and may allow the salaries set out in the application or smaller salaries, all as the facts justify.

(c) Notwithstanding anything contained in this part to the contrary, no judgment or decree requiring additional funding rendered after September 1 shall become effective until the beginning of the fiscal year immediately following the fiscal year in which the judgment or decree was entered; provided, however, the county mayor may enter into a settlement with the approval of the county legislative body, which settlement agreement may provide for an effective date in the current fiscal year.

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.